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February 5, 2024

VIA ECF

The Honorable Robert W. Lehrburger
United States District Court
Southern District of New York
500 Pearl Street, Courtroom 18D
New York, NY 10007

Re: ***Hafizov v. BDO USA, LLP, et al.***; Case No.: 1:22-cv-08853 (JPC) (RWL)

Dear Magistrate Judge Lehrburger:

Defendants BDO USA, P.C., Janet Bernier and Matthew Dymont (together, the “Defendants”) write with the consent of Plaintiff Rinat Hafizov (“Plaintiff”), and respectfully submit this letter pertaining to Defendants’ pre-motion letter requesting a Protective Order, filed on February 5, 2024. *See* Dkt. No. 165.

This afternoon, counsel for both Parties agreed that Mr. Dennis Sweeney’s deposition would not take place on February 9, 2024, and the Parties are now cooperating to select a mutually agreeable date for Mr. Sweeney’s deposition.

Accordingly, Defendants’ motion is now moot, and Defendants respectfully withdraw their motion.

Respectfully,

Lindsay F. Ditlow

cc: All counsel (via ECF)